

U.S. Patent Application Serial No. 10/658,829
Reply to Office Action dated April 5, 2005

Remarks:

Applicant has read and considered the Office Action dated April 5, 2005 and the references cited therein. Claims 1, 5, 6 and 11 have been amended and new claims 21-25 have been added. Claims 12-20 that were previously been withdrawn have now been cancelled. Claims 1-11 and 21-25 are currently pending.

In the Action, the Restriction Requirement has been made Final. Claims 12-20 have been cancelled.

Claim 7 was rejected as being indefinite as "the roller" in line 2 lacked antecedent basis. Claim 6 has been amended to recite the roller and Applicant asserts that the rejection is traversed.

Claims 1-7 and 11 were rejected under 35 U.S.C. § 102(e) as being anticipated by Mott. In addition, claims 1, 4, 6 and 8-11 were rejected under 35 U.S.C. § 102(e) as being anticipated by Franzoni et al. Applicant asserts that the claims as submitted patentably distinguish over the cited references. The present invention has a conveyor including a separator assembly removing debris from the transported articles. The claims have been amended to clarify that cleaning is conducted on the transported articles rather than cleaning the conveyor belt itself. The prior art teaches devices that clean the conveyor belt rather than separating debris from transported articles. The cited art has elements that engage the surface of the conveyor and are used for a different purpose than the present invention. Moreover, the cleaning assembly of the prior is located at the return run of the conveyor belt so that the underside of the belt is cleaned when at a position where no articles are being transported on the belt.

In contrast, the present invention includes brushes that are positioned above the return run of the conveyor. Brushes are spaced and positioned to allow articles to pass between the brushes and between the conveyor and the brushes, but to engage and remove debris that is engaged by the brush. The present separator assembly functions differently than the prior art and is used for a different purpose.

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Moreover, Applicant asserts that the present invention is not obvious in view of the prior art. The prior art is utilized for a completely different purpose and must be positioned in a different location. The cleaning devices of the prior art are used for a different type of conveyor rather than the chain type conveyor typically used for transporting citrus of one embodiment of the present invention. Applicant asserts that the prior art could not be utilized for separating debris from the transported articles and that one of ordinary skill in the art seeking a solution to the problem of separating debris from the transported articles would not look to the cited prior art relating to cleaning the belt surface or any combination thereof to arrive at the present invention. Applicant asserts that claims 1-11 and 21-25 distinguish over the cited references and that the claims are in condition for allowance.

A speedy and favorable action on the merits is hereby solicited. If the Examiner feels that a telephone interview may be helpful in this matter, please contact Applicant's representative at (612) 336-4728.

Respectfully submitted,

MERCHANT & GOULD P.C.

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